

EPA Mid-Atlantic Region Headlines
Monday, January 13, 2014

***** DAILY HOT LIST *****

Letter from MDE Secretary Robert Summers:
Md. leads the region in reducing stormwater runoff

BALTIMORE SUN (Friday) Under the leadership of the O'Malley-Brown Administration, Maryland has made great strides toward improving the quality of the natural environment, and it continues to lead the region in efforts to reduce polluted stormwater runoff. Recognizing that this runoff is responsible for a significant percentage of the pollution to the Chesapeake Bay and its tributaries, Maryland is aggressively addressing this issue along many fronts, including passage of the landmark Stormwater Management Act of 2007, issuance of new municipal stormwater permits that take bold steps toward cleaning up runoff pollution, and tighter limits on sprawl development. For all those reasons, a recent Sun report on stormwater management was disappointing ("Bay advocates say state lax in monitoring county stormwater controls," Jan. 3). The article focuses on the status of triennial reviews of county stormwater control programs — even though such reviews are just one of several ways in which the Maryland Department of the Environment interacts with local jurisdictions and monitors progress on this important issue. When the picture is considered in its whole, it is clear that Maryland is fully engaged in local efforts to reduce this pollution source. The federal Clean Water Act-mandated "MS4" stormwater permits issued to municipalities and counties and the Watershed Implementation Plan required under the Chesapeake Bay TMDL (pollution loading limits) allow MDE to provide close oversight of local stormwater programs by requiring local jurisdictions to submit annual reports describing the size and scope of their stormwater program, funding and staffing, pollution prevention efforts, monitoring and documentation of progress toward meeting water quality goals.

WASHINGTON POST

PHILADELPHIA INQUIRER

PITTSBURGH POST-GAZETTE

PITTSBURGH TRIBUNE-REVIEW

CHARLESTON GAZETTE

CHARLESTON DAILY MAIL

ASSOCIATED PRESS

WILMINGTON NEWS JOURNAL

DELAWARE CAPE GAZETTE

RICHMOND TIMES-DISPATCH

NORFOLK VIRGINIAN-PILOT

GREENWIRE

BNA DAILY ENVIRONMENT REPORT

HEALTHY WATERS FOR THE MID-ATLANTIC REGION

PENNSYLVANIA

PHILADELPHIA INQUIRER

PITTSBURGH POST-GAZETTE

PITTSBURGH TRIBUNE REVIEW

STATE IMPACT PENNSYLVANIA

ALLEGHENY FRONT (WESTERN PA. RADIO)

ALLENTOWN MORNING CALL

BUCKS COUNTY COURIER TIMES

DELAWARE COUNTY DAILY TIMES

DOYLESTOWN INTELLIGENCER

ELLWOOD CITY LEDGER

ERIE TIMES-NEWS

Erie leads, Buffalo challenges for snow crown (Friday) Erie is holding on to the top spot in the

race to be snowiest city in the country, but a challenger also on the shores of Lake Erie is now nipping at our heels. The most recent update at GoldenSnowGlobe.com, posted Wednesday, has Buffalo moving into the second spot in the annual contest. That city and its 55.3 inches of snowfall leapt past Grand Rapids, Mich., (52.7 inches) and Syracuse, N.Y., (51.9 inches) to claim second place. Erie maintains a relatively comfortable lead with 77.2 inches of snowfall so far, but now has multiple cities less than 2 feet behind. While a 21.9-inch lead might seem like a lot, Buffalo amassed 17.6 inches in a three-day span from Monday to Wednesday, according to the National Weather Service. Unsurprisingly, another western New York city rounds out the top five. Rochester is in fifth place with 48 inches of snowfall, so far. With little snow expected in the near future, Erie residents who want to win the title might have to hope for little snow in western New York as well. Temperatures in the Erie region are expected to stay in the 30s and 40s through most of the next week with little snow accumulation anticipated, according to the National Weather Service in Cleveland. Buffalo is expected to have a similar warm-up.

HARRISBURG PATRIOT NEWS

HAZELTON STANDARD-SPEAKER

LANCASTER NEWSPAPERS

LEHIGH VALLEY LIVE

POTTSTOWN MERCURY

POTTSVILLE REPUBLICAN HERALD

READING EAGLE

SCRANTON TIMES-TRIBUNE

STATE COLLEGE CENTRE DAILY TIMES

TOWANDA DAILY REVIEW

WASHINGTON OBSERVER-REPORTER

WILKES-BARRE CITIZENS VOICE

PUC approves controversial PPL line The state Public Utility Commission on Thursday approved a controversial, new 58-mile power line from Luzerne County to Wyoming County. The PUC unanimously endorsed PPL Electric Utilities' Northeast-Pocono Reliability Project, which includes a 230-kilovolt line running from Jenkins Twp. near Pittston to Paupack Twp. near Lake Wallenpaupack. The project, which is expected to be complete in 2017, will improve service for 250,000 people across the region, according to PPL. It will reduce power outages and address demand for electricity in parts of Lackawanna, Luzerne, Monroe and Wayne counties, the utility projects. "It's going to be a great thing for reliability in that region," PPL spokesman Joe Nixon said. "We are continually looking to invest on behalf of customers." PPL estimated the project would cost \$200 million when it was introduced in 2011. Now, PPL says it will cost \$335 million. "Two-hundred million was a very early estimate," Nixon said. The updated cost - 67 percent higher than the original projection - includes finalized expenses and an expanded scope of work, Nixon said. The project also includes rebuilt sections of 69-kilovolt lines linked to the project, such as the replacement of an 85-year-old, 20-mile segment from Blakely to Honesdale. The proposal drew vigorous opposition from rural residents and municipal officials who were concerned about its impact on property and the environment. David Salapa, a PUC administrative law judge, recommended approval of the project in October. "The PUC gave them everything they wanted. They made no concessions to the public," said June Ejek, a Clifton Twp. supervisor who spoke out against the project at a public hearing in Thornhurst last spring. "I think the frustrating part for the residents is that all the efforts we went through to be heard fell on deaf ears."

WILKES-BARRE TIMES LEADER

WILLIAMSPORT SUN GAZETTE

ASSOCIATED PRESS (PA)

Pa. issues disaster declaration aimed at ensuring fuel delivery (Friday) HARRISBURG, Pa. (AP)
— Gov. Tom Corbett has issued a disaster declaration allowed at easing transportation regulations in Pennsylvania to avoid interruption of delivery of propane gas and heating oil. Corbett said Friday that the prolonged cold weather in the commonwealth has resulted in "serious logistical problems" in distribution and delivery of the heating fuels. He said a disaster declaration is needed for the state transportation department to waive federal and state motor carrier regulations covering hours of service for drivers. The exemption, which runs through Jan. 25, applies statewide to transportation of propane gas and oil for heating purposes. It extends the maximum driving time from 11 hours to 14 hours, with ten hours off in between, and waives a ban on driving after 60 or 70 hours over seven or eight days.

WASHINGTON, D.C.

WASHINGTON POST

WASHINGTON TIMES

WAMU-RADIO (NPR)

WTOP RADIO

DELAWARE

WILMINGTON NEWS JOURNAL

Environmental groups appeal water intake suit dismissal (Friday) Three environmental groups urged a Superior Court judge late Thursday to reconsider last week's sudden dismissal of a lawsuit seeking action on a long-expired wastewater and cooling water permit at the Delaware City Refinery. The Delaware Riverkeeper Network, Delaware Audubon Society and Sierra Club in October petitioned Judge Diane Clarke Streett to order Delaware to prepare a new draft of the federally required permit in six months, with terms requiring reduced fish kills and pollution

discharges at the plant's cooling water intake and discharges to the river. In a move that the environmental groups called a surprise, Streett on Jan. 2 dismissed the case without a request from Department of Natural Resources and Environmental Control or any other parties in the action. The ruling relied heavily on DNREC's assertions that it was exercising proper discretion in delaying action, and that key federal guidance was imminent. The petition released on Thursday called for arguments on the dismissal, and said that the court should not have acted "without the benefit of a motion, answer, reply and briefing, especially at this early stage in the action, because it precluded petitioners from challenging the factually and legally incorrect statements set forth by respondents in the answer." DNREC did not comment on the filing late Thursday. Agency officials said both in the past and at the time of Streett's dismissal that they were awaiting new, nationwide Environmental Protection Agency rules for cooling water intakes, now expected to be released next week. State regulators had concluded in a mid-2011 draft permit that a cooling tower system was the best technology available for Delaware City. PBF Energy in 2012 questioned that position, saying that the state failed to consider costs and other options.

DELAWARE CAPE GAZETTE

MIDDLETOWN TRANSCRIPT

ASSOCIATED PRESS (Del.)

WEST VIRGINIA

CHARLESTON GAZETTE

Water woes continue, President joins state leaders in declaring a disaster for parts of WV (Friday) CHARLESTON, W.Va. -- Schools and restaurants closed, grocery stores sold out of bottled water, and state legislators who had just started their session canceled the day's business after a chemical spill in the Elk River in Charleston shut down much of the city and surrounding counties even as the cause and extent of the incident remained unclear. The federal government joined the state early Friday in declaring a disaster, and the West Virginia National Guard planned to distribute bottled drinking water to emergency services agencies in the nine affected counties. About 100,000 water customers, or 300,000 people total, were affected, state officials said they reported in requesting the federal declaration. Shortly after the Thursday spill from

Freedom Industries hit the river and a nearby treatment plant, a licorice-like smell enveloped parts of the city, and Gov. Earl Ray Tomblin issued an order to customers of West Virginia American Water: Do not drink, bathe, cook or wash clothes with tap water. The chemical, a foaming agent used in the coal preparation process, leaked from a tank at Freedom Industries and overran a containment area. Officials from Freedom, a manufacturer of chemicals for the mining, steel, and cement industries, hadn't commented since the spill, but a woman who answered the phone at the company said it would issue a statement later Friday.

State AG warns of price gouging after spill (Friday) CHARLESTON, W.Va. -- Attorney General Patrick Morrisey is warning West Virginians about price gouging on water, ice or other commodities in response to the water emergency related to a chemical spill. Morrisey says it's illegal and "just plain wrong" to inflate the price of water in times of emergency. His office is already hearing reports of price gouging going on in the area. Morrisey is encouraging anyone who has been charged overly inflated prices to file a complaint with the office's consumer protection division. The chemical spill Thursday prompted officials to tell residents in nine counties not to bathe, brush their teeth or wash their clothes. The chemical, a foaming agent used in the coal preparation process, leaked from a tank at Freedom Industries, overran a containment area and went into the river.

Obama makes federal aid available following chemical spill (Friday) CHARLESTON, W.Va. -- President Obama this morning announced that federal emergency aid will be made available to West Virginia to supplement state and local response to Thursday's chemical spill that prompted a widespread "do not use" order from West Virginia-American Water Co. The U.S. Department of Homeland Security's Federal Emergency Management Agency said the move authorizes FEMA to coordinate all disaster relief efforts following the spill of a coal-cleaning chemical from Freedom Industries, a facility 1.5 miles upstream from West Virginia-American's water intake along the Elk River in Charleston. Specifically, FEMA is authorized to identify, mobilize, and provide equipment and resources necessary to alleviate the impacts of the emergency. Emergency protective measures, limited to direct federal assistance, will be provided at 75 percent funding.

CHARLESTON DAILY MAIL

CHRISTIAN SCIENCE MONITOR

West Virginia chemical spill: What is 4-methylcyclohexane methanol? (Friday) A West Virginia chemical spill into the Charleston-area Elk River Thursday has closed schools, businesses, and left up to 300,000 people without water in nine counties across the state. President Obama issued an emergency declaration for the state of West Virginia, and officials are urging West Virginians of affected areas not to use tap water, which has been contaminated with a chemical used to clean coal. "Due to the nature of the contamination, it is not safe to use the water for any purpose," West Virginia American Water (WVAW) said in a notice posted online. "Alternative sources of water should be used for all purposes. Bottled water or water from another, safe source should be used for drinking, making ice, brushing teeth, washing dishes, bathing, food and baby formula preparation and all other purposes until further notice."

The West Virginia chemical spill occurred when a compound called 4-methylcyclohexane methanol leaked from a hole in the bottom of a storage tank, Thomas Aluise, a WVAW spokesman told the New York Times. The liquid then filled a container designed to contain leaks before flowing into the Elk River, about a mile north of a water treatment plant. **What is 4-methylcyclohexane methanol?** The compound involved in the West Virginia chemical spill is used to rid coal of impurities before it is burned to generate power. "Short version – it is used in removing some sulfur from coal," David Bayless, director of Ohio University's Ohio Coal Research Center, wrote in an e-mail to the Monitor. "That is a separation process ... usually done at the mine before the coal is shipped to the utility to burn."

BECKLEY NEWS REGISTER

BLUEFIELD DAILY TELEGRAPH

HUNTINGTON HERALD DISPATCH

PARKERSBURG NEWS AND SENTINEL

WEST VIRGINIA PUBLIC BROADCASTING

WEST VIRGINIA STATE JOURNAL

EPA sends coordinators to help with water sampling (Friday) The Environmental Protection Agency is working to help monitor the chemical spill in Charleston, WV. According to a spokesperson with the EPA, they have sent on-scene coordinators to assist with water sampling. They say they are ready to offer more assistance if requested. An official with TCI America, a company that produces the chemical, says the chemical is considered non-toxic. The official says that the danger level depends on the concentration level in the water system. TCI America did not make the chemical that leaked into the Elk River. They are one of several companies that manufacture the chemical. Angie Rosser, Executive Director of the West Virginia Rivers Coalition issued this statement: "We are seeing today how dependent we are on clean rivers for our health and security. The immediate priority is for public health officials to determine the extent of the problem and to ensure the safety of public water supplies. Then, we must take a critical look at how to better protect our vital drinking water sources." Water filling centers can be found by [clicking here](#).

WHEELING INTELLIGENCER

ASSOCIATED PRESS (W. VA.)

MARYLAND

BALTIMORE SUN

Letter from MDE Secretary Robert Summers: Md. leads the region in reducing stormwater runoff (Friday) Under the leadership of the O'Malley-Brown Administration, Maryland has made great strides toward improving the quality of the natural environment, and it continues to lead the region in efforts to reduce polluted stormwater runoff. Recognizing that this runoff is responsible for a significant percentage of the pollution to the Chesapeake Bay and its tributaries, Maryland is aggressively addressing this issue along many fronts, including passage of the landmark Stormwater Management Act of 2007, issuance of new municipal stormwater permits that take bold steps toward cleaning up runoff pollution, and tighter limits on sprawl development. For all those reasons, a recent Sun report on stormwater management was disappointing ("Bay advocates say state lax in monitoring county stormwater controls," Jan. 3). The article focuses on the status of triennial reviews of county stormwater control programs — even though such reviews are just one of several ways in which the Maryland Department of the Environment interacts with local jurisdictions and monitors progress on this important issue. When the picture is considered in its whole, it is clear that Maryland is fully engaged in local efforts to reduce this pollution source. The federal Clean Water Act-mandated "MS4" stormwater permits issued to municipalities and counties and the Watershed Implementation Plan required under the Chesapeake Bay TMDL (pollution loading limits) allow MDE to provide close oversight of local stormwater programs by requiring local jurisdictions to submit annual reports describing the size and scope of their stormwater program, funding and staffing, pollution prevention efforts, monitoring and documentation of progress toward meeting water quality goals.

SALISBURY DAILY TIMES

ANNAPOLIS CAPITAL -GAZETTE

CAPITAL NEWS SERVICE

CARROLL COUNTY TIMES

CECIL WHIG

CUMBERLAND TIMES-NEWS

EASTON STAR DEMOCRAT

FREDERICK NEWS-POST

HAGERSTOWN HERALD MAIL

MARYLAND GAZETTE NEWSPAPERS

SOUTHERN MARYLAND NEWS

CHESAPEAKE BAY JOURNAL

ASSOCIATED PRESS (MD)

VIRGINIA

RICHMOND TIMES-DISPATCH

WRIC-TV RICHMOND

Cancer-causing chemical found in Sandston water SANDSTON (WRIC) - The Virginia Department of Environmental Quality went door to door Wednesday passing out flyers warning that the chemical tetrachloroethylene, also known as "perc" is in the ground water. But they don't know how it got there, how long it's been there, nor how many people it may have affected. On Federal Street in Sandston, tap water and bottled water are the standard. "We don't really have well water around here," says Stephen Hyesell. And that's good because the well-water may have something in it that causes cancer. Bill Hayden says the Department of Environmental Quality and the EPA knows it's in the ground water in this part of Sandston, but they don't know why nor how much is there. "This particular chemical can come from dry cleaning activities," Hayden says. "It's a de-greaser. It's a solvent. So we need to look into all those sorts of things but at this point we just don't have that information. While the EPA tries to figure that out, the Department of Environmental Quality wants to make sure nobody drinks the ground water. That should keep the folks in this area from the risk perc poses. "If there's something in it, they'll take care of it," says Dennis Sullivan. "If not, someone might get sick." Stephen Hyesell's neighbor Dennis Sullivan wonders why he's just finding out about it. The Department of Environmental Quality got the initial report from a contractor in August. "[I'm] a little concerned about it," Sullivan says. "They should have notified us earlier and let us know what's going on." But neither Hyesell nor Sullivan is too worried because the DEQ says what's coming out of the tap is just fine. "[I] don't want to have a nasty environment, but it's not affecting my drinking water so that's kind of the important part," Hyesell says. After testing the ground water, the EPA plans to collect air samples from places like crawl spaces in case any of the perc has become vapor, which could then be inhaled and could also cause a risk. Right now, there's no timeline for how long this will all take.

NORFOLK VIRGINIAN-PILOT

NEWPORT NEWS DAILY PRESS

ROANOKE TIMES

CHARLOTTESVILLE DAILY PROGRESS

DANVILLE REGISTER & BEE

FREDERICKSBURG FREELANCE STAR

LYNCHBURG NEWS AND ADVANCE

ASSOCIATED PRESS (VA.)

MISCELLANEOUS

BNA DAILY ENVIRONMENT REPORT

GREENWIRE

WATER POLLUTION: Feds to probe W.Va. chemical spill; 200,000 without water (Friday) The U.S. attorney in West Virginia said his office and other federal officials have opened an investigation into a spill of a chemical used in coal production into the Elk River that has effectively shut down Charleston, W.Va., the state's capital. The White House and the state government have declared a state of emergency and hundreds of thousands of Charleston residents have been ordered not to drink tap water after the spill tainted supplies. The leak of 4-methylcyclohexane methanol, or MCHM, has left some 200,000 people across nine counties without drinking water and has closed schools, businesses and government offices. U.S. attorney Booth Goodwin said in a news release today that the office had opened an investigation into the release and would determine both the cause and whatever action should be taken. "Yesterday's release of a potentially dangerous chemical into our water supply has put hundreds of thousands of West Virginians at risk, severely disrupted our region's economy and upended people's daily lives," Goodwin said. According to reports, regulators suspect that the chemical is coming from a leaking storage unit owned by Charleston-based Freedom Industries Inc., a specialty chemical producer. The tank is located at a storage facility just a mile north of the intake of a water treatment plant.

Del. judge tosses enviro suit over oil refinery A coalition of environmental groups has asked a Delaware Superior Court judge to reconsider a decision to dismiss a lawsuit seeking to force state regulators to require the Delaware City Refinery to meet stricter pollution standards. The Delaware Riverkeeper Network and the state chapters of the Audubon Society and the Sierra Club sued Delaware regulators in an attempt to force state officials to develop a new federally required permit for the plant within six months. The groups argued that the refinery, owned by PBF Energy, is responsible for the deaths of more than 45 million fish and organisms every year (*Greenwire*, Oct. 2, 2013). Judge Diane Clarke Street, who dismissed the case Jan. 2 even though the state had not requested the move, relied on assertions from Delaware's Department of Natural Resources and Environmental Control that it was within its rights to delay action while it waited for guidance from the federal government. The agency said it is waiting for new U.S. EPA rules on cooling water intakes, which it expects will be released next week.

CLIMATE: GOP's conflict-of-interest charge surprised EPA staff (Friday) U.S. EPA staff involved in writing the newly published carbon dioxide rule for future power plants did not anticipate House Republicans' charge that its mandate for coal-fired power plants violates a 2005 energy law, according to internal emails released by the agency this week as part of the rule's docket. The agency posted emails between EPA and White House Office of Management and Budget staff dated Nov. 19, 2013, in which they discuss a letter from House Energy and Commerce Committee Republicans that stated the Energy Policy Act of 2005 bars EPA from basing a technology standard on projects financed by the federal government. "The letter just got down to my desk today, so we are still working through the issue with the [Office of General Counsel]/management and will follow up with you once we have a more complete assessment," states Robert Wayland of EPA's Office of Air Quality Planning and Standards in an email to OMB staff. EPA's proposal, released Sept. 20 and published Tuesday, would require future coal-fired power plants to use partial carbon capture and storage technology. To support the rule, EPA cites three U.S. CCS projects that are in various stages of planning and development, all of

which benefited from federal financial assistance. It also points to the SaskPower's Boundary Dam CCS project, which is under construction in Canada.

OFFSHORE DRILLING: GOP, witnesses make case for exploring Atlantic Opening the Atlantic Ocean to modern oil and gas surveying could reveal significantly larger mineral deposits and would help companies drill more safely and efficiently, according to House Natural Resources Committee Republicans and witnesses who testified at a hearing this morning. But Democrats and a professor of marine science warned that Congress must codify and enhance offshore safety regulations before allowing exploration in frontier waters. Today's hearing focused on advances in seismic surveying technologies and how they could inform future energy production off the East Coast. A top Interior Department official said the Bureau of Ocean Energy Management next month plans to finalize a sweeping plan to allow the first new seismic tests since the late 1980s in the mid- and south Atlantic. But Republicans said they were frustrated at the time it has taken for BOEM to finish the plan, which it began in January 2009, saying new three-dimensional oil and gas survey data are critical to informing future leasing decisions.

ASSOCIATED PRESS

NEW YORK TIMES

REUTERS NEWS SERVICE

BLOOMBERG NEWS SERVICE

GRIST

HUFFINGTON POST